

ORIGINAL

FILED

DISTRICT COURT OF GUAM

JAN -9 2007

MARY L.M. MORAN
CLERK OF COURT

LeeKyunga.rem

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United States Attorney

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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,)

CRIMINAL CASE NO. 06-00019

Plaintiff,)

vs.)

PETITION TO REMIT SPECIAL
ASSESSMENT FEE

KYUNGA LEE,)

[18 U.S.C. § 3573]

Defendant.)

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant KYUNGA LEE and in support hereof, states as follows:

1. On July 27, 2006, sentence was imposed by this Court against Defendant KYUNGA LEE. Among other things, a \$100.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$100.00.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, KYUNGA LEE, was deported to Korea on August 8, 2006. See Exhibit "A."

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1 3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent
2 part as follows:

3 Upon petition by the Government showing that reasonable efforts to
4 collect a fine or assessment are not likely to be effective, the court may, in the
interest of justice --

5 (1) remit all or part of the unpaid portion of the fine or special assessment,
including interest and penalties

6 4. The United States Attorney has determined that in light of Defendant's
7 deportation, there is no reasonable likelihood that expending further efforts to collect the special
8 assessment fee will produce any revenue to the United States. To the contrary, any further efforts
9 will needlessly expend resources that could be better directed to areas with greater potential for
10 recovery.

11 5. The interests of justice mitigate in favor of remission of the unpaid special
12 assessment fee.

13 WHEREFORE, the United States of America respectfully requests that this Court enter
14 an order remitting the unpaid special assessment fee imposed upon Defendant.

15 DATED this 8th day of January, 2007.

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17 LEONARDO M. RAPADAS
18 United States Attorney
Districts of Guam and NMI

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20 By:

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MARIVIC P. DAVID
Assistant U.S. Attorney
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A-NUM : 076209234
NATLTY: KOREALAST-NAME : LEE
FIRST-NAME: KYUNGA

DATE-DOCKET-CLEARED: 08/14/2006

DEPART-CLEARED-STAT: 9

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 08/08/2006

PORT-DEPARTED: AGA

DEPART-COUNTRY: KOREA

FINAL-CHARGE: I6C1

EXPENSE-CODE: 5

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

